

## UNITED STATES DISTRICT COURT

for the  
*Southern* District of *New York*

\_\_\_\_ Division

*JUAN BONILLA*

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

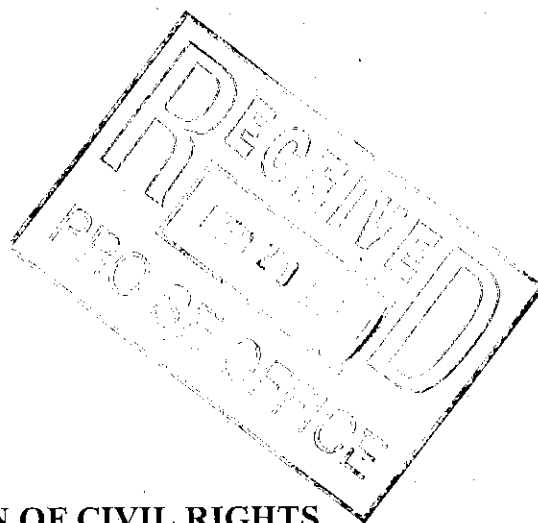
*J. AGUILA*

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

**COMPLAINT FOR VIOLATION OF CIVIL RIGHTS**  
(Prisoner Complaint)**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

IVAN BONILLA

All other names by which  
you have been known:

ID Number

NONE  
#19A 3053

Current Institution

GREEN HAVEN Correctional Facility

Address

STORMVILLE

City

State

Zip Code

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

J. AGUILA

Job or Title (*if known*)

CORRECTIONAL OFFICER

Shield Number

UNKNOWN

Employer

DEPARTMENT OF CORRECTIONAL

Address

SUPERINTENDANT MR. MILLER

STORMVILLE

City

State

Zip Code

☒ Individual capacity☒ Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

☐ Individual capacity☐ Official capacity

## Defendant No. 3

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Shield Number \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

☐

Individual capacity

☐

Official capacity

## Defendant No. 4

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Shield Number \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

☐

Individual capacity

☐

Official capacity

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

(8) Eighth and (14) Fourteenth Constitutional Rights

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

As A Correctional officer THIS officer Abused,  
His AUTHORITY and PHYSICALLY Assulted ME UNPROVOTED

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain)

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

GREEN HAVEN CORRECTIONAL FACILITY, → B Block  
COMPANY (4) (\*VIDEO # C.S. 07078) Approx 8:55 AM  
C.S. 07079

C. What date and approximate time did the events giving rise to your claim(s) occur?

DATE: DECEMBER, 12, 2023, TIME 8:55 AM

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I WAS PUNCHED IN FACE AND KNOCKED UNCONSCIOUS, MY NOSE WAS FRACTURED AS I LAYED THERE BLEEDING FROM THIS UNPROVOTE, ASSULT ME BY THIS EMPLOYEE OF GREEN HAVEN.

#### V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

MY NOSE WAS BROKING, FRACTURED AND BLEEDING HEAVY AS I LAYED, UNCONSCIOUS WAITING FOR MEDICAL ASSISTANT.

\*SEE VIDEO # C.S. 07078 → C.S. 07079

#### VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

\$2,000,000.00 Two Million Dollars, Also that this officer be removed/fired for his Attroucious behavior. I was Assult by this officer for no reason, I could've have loss my life Probally he had a Weapon

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Green Haven Correctional Facility

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

THE ASSULT AGAINST ME BY  
AN EMPLOYEE UNPROVOTED

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

E. If you did file a grievance:

1. Where did you file the grievance?

Green HAVEN Correctional Facility, GRIEVANCE DEPARTMENT

2. What did you claim in your grievance?

THAT I was Punched in my face and knocked unconscious and layed Bleeding for Several minute untild medical ASSISTANT Arrived.

3. What was the result, if any?

STILL Pending By Office of special Investigations.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I First Filed my Complaint to the Area Supervisor, then to the Facility Superintendent, the GRIEVANCE DEPARTMENT and then I Filed

A letter to the Sather District Asking for Application for 1983 To file my Complaint and lawsuit.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

\_\_\_\_\_

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

\_\_\_\_\_

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

\_\_\_\_\_

*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

### VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

\_\_\_\_\_



- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

I. Bonilla, Jan. 22, 24

Signature of Plaintiff

I. Bonilla

Printed Name of Plaintiff

IVAN. BONILLA

Prison Identification #

19A3053

Prison Address

GREEN HAVEN Correctional Facility

STORMVILLE

City

N-Y

State

12582

Zip Code

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

CH 0047-24

To: GRIFFIN

From: IVAN BOVILLA

Div: 19A3053, Loc: H-Block #6-374

12-12-23

JAN 00 2024

JAN 00 2024

On the above DATE and time I/I Bovilla  
Div: 19A3053 got punched in my face by  
C.O. J. AGUILA on B-Block Comp. #4 (see Video)  
There were no Violent Conduct, threats or  
Aggressiveness for this officer to put his hands  
on me.

I did nothing wrong for this officer C.O. J. AguilA  
to Assault me. (see video.)

I want this officer to be removed from  
his job.

Thank you!

C.C. Filed

Sincerely


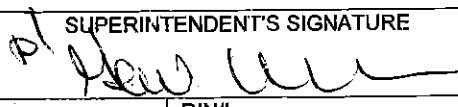
I. Bovilla

19A3053

H Block #6-374

Video Num: C.S. -07078

C.S. -07079

 <b>Corrections and Community Supervision</b>  <b>INCARCERATED GRIEVANCE PROGRAM</b>  <b>SUPERINTENDENT RESPONSE</b>	GRIEVANCE NO. <b>GH-0047-24</b>		DATE FILED <b>1/8/24</b>
	FACILITY <b>Green Haven CF</b>		POLICY DESIGNATION <b>I</b>
	Assault Alleged		CLASS CODE <b>49</b>
	SUPERINTENDENT'S SIGNATURE 		DATE <b>1/16/24</b>
GRIEVANT <b>Bovilla, Ivan</b>		DIN# <b>19A3053</b>	HOUSING UNIT <b>H6-374</b>

The grievant complains of alleged assault

This complaint has been referred to the Office of Special Investigations the outcome of which will be determined by that Office.

\*\*\* Grievance is denied only to the extent noted above.

#### APPEAL STATEMENT

If you wish to refer the above decision of the Superintendent, please sign below, and return this copy to your Inmate Grievance Clerk. You have seven (7) calendar days from receipt of this notice to file your appeal. \* Please state why you are appealing this decision to C.O.R.C.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 GRIEVANT'S SIGNATURE

\_\_\_\_\_  
 DATE

\_\_\_\_\_  
 GRIEVANCE CLERK'S SIGNATURE

\_\_\_\_\_  
 DATE

19A3053  
Bon. 11A  
H6-384

GREEN HAVEN CORRECTIONAL FACILITY  
P.O. BOX 4000  
STORMVILLE, NEW YORK 12582-4000

8500 9161820001

NAME: JUAN Ballea DIN: 19A3053

NEOPOST

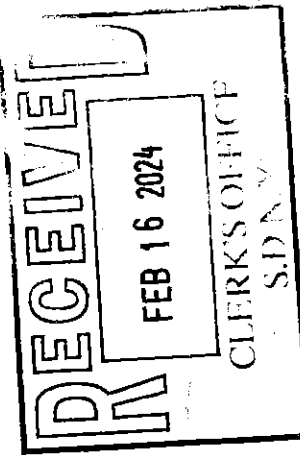
02/07/2024

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Southern District of New York  
500 Pearl St.  
N.Y. N.Y. 1007-1312*

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